

REMARKS/ARGUMENTS

I. Summary of the Office Action

In the Office Action, claims 1-23, 30-51 and 72-105 are pending. Claims 1-23, 30-51, and 72-105 are rejected. Claims 106-107 have been added.

Claims 1-3, 7-8, 10-16, 19-20, 30-32, 34, 37-39, 43, 45-49, 73-75, 78-80, 83-85, 87, 89-91 and 94-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman (4988255) in view of Peres (3739471).

Claims 4-6, 33, 44, 72, 77, 82, 88-89 and 98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claims 3, 32, 43, 1, 30, 37 above, and further in view of McGrath et al. (6494017).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claim 1 above, and further in view of Blaimschein (5318420).

Claims 17-18, 35, 50, 76, 81, 86 and 92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Pares, as applied to claims 1, 30, 37 and 87 above, and further in view of Kitamura et al. (5423216).

Claims 21-23, 36 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claims 1, 30 and 37 above, and further in view of Yuyama et al. (6644504).

Claims 40-42 and 99-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claims 1 and 37 above, and further in view of Coughlin (2004/0059463).

Claim 93 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman, Peres, McGrath et al., Blaimschein, Kitamura et al. and further in view of Lasher et al. (5720154).

Claims 101-103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claims 30, 37 and 87 above, and further in view of Brazell (5611378) and British Patent (2068829).

Claim 104 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman, Peres, McGrath et al., Blaimschein, Kitamura et al., Lasher as applied to claim 93 above, and further in view of Brazell (5611378) and British Patent (2068829).

Claim 105 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman and Peres, as applied to claim 37 above, and further in view of Lasher et al. (5720154).

Claim 106 was withdrawn from consideration as being directed to an independent or distinct invention.

II. Summary of Applicants Reply

Applicants respectfully submit that no new matter has been introduced into the subject application. Amendments to and cancellations of the claims are being made solely to expedite prosecution, without prejudice or disclaimer, and do not constitute acquiescence to any of the Examiner's objections to or rejections of the claims. Specifically, after the Amendments made herein being entered, Claims 1-106 are cancelled without prejudice or disclaimer. Claim 107 is allowed, and new Claims 108-177 have been added. New Claims 108-144 are dependent claims from allowed Claim 107. In addition, new Claim 145 is of the substantially same patentable scope, with the exception that the control system has bee

changed to "control system means." New Claims 146-177 depend from independent claim 145.

Applicant provides the following arguments traversing the rejections below.
Reconsideration of the present application is respectfully requested.

Applicant submits that the combination of limitations in the rejected claims patentable distinguish over the prior art. Withdrawal of the prior art rejections is respectfully requested.

Rejections Under 35 U.S.C. 103

Claims 1-23, 30-37, 39-51 and 72-105 stand rejected as being obvious based on one or more of the prior art mentioned above. Applicant has cancelled these claims without prejudice or disclaimer. Withdrawal of this rejection is respectfully requested.

CONCLUSION

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, Applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples Applicants have described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, Applicants assert that it is the combination of elements recited in each of the claims, when each claim is interpreted as a whole, which is patentable. Applicants have emphasized certain features in the claims as clearly not present in the cited references, as discussed above. However, Applicants do not concede that other features in the claims are found in the prior art. Rather, for the sake of simplicity, Applicants are providing examples of why the claims described above are distinguishable over the cited prior art.

Applicants wish to clarify for the record, if necessary, that the claims have been amended to expedite prosecution and/or explicitly recite that which is already present within the claims. Moreover, Applicants reserve the right to pursue the original and/or complimentary subject matter recited in the present claims in a continuation application.

Any claims that have been cancelled are hereby cancelled without prejudice or disclaimer, and Applicants reserve the right to further prosecute these claims in continuing

applications. In addition, Applicants have attempted to claim all embodiments disclosed in the present application, and no disclaimer of any embodiments is hereby intended by the presently pending claims.

Any narrowing amendments made to the claims in the present Amendment are not to be construed as a surrender of any subject matter between the original claims and the present claims; rather merely Applicants' best attempt at providing one or more definitions of what the Applicants believe to be suitable patent protection. In addition, the present claims provide the intended scope of protection that Applicants are seeking for this application. Therefore, no estoppel should be presumed, and Applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents and/or statutory equivalents, i.e., all equivalents that are substantially the same as the presently claimed invention.

Further, Applicants hereby retract any arguments and/or statements made during prosecution that were rejected by the Examiner during prosecution and/or that were unnecessary to obtain allowance, and only maintain the arguments that persuaded the Examiner with respect to the allowability of the patent claims, as one of ordinary skill would understand from a review of the prosecution history. That is, Applicants specifically retract statements that one of ordinary skill would recognize from reading the file history were not necessary, not used and/or were rejected by the Examiner in allowing the patent application.

Applicants also traverse any "Official Notice," "Design Choice," "Admitted Prior Art" or other alleged prior art that the Examiner purports is well known with respect to the claimed combination of the present invention. Applicants disagree and request the Examiner to provide a prior art reference describing any of these features that the Examiner has not

provided a prior art reference or an affidavit under 37 C.F.R. Section 1.104(d)(2) providing details of why it would have been obvious. In the absence of either, Applicants request withdrawal of this rejection for these reasons as well.

For all the reasons advanced above, Applicants respectfully submit that the rejections have been overcome and should be withdrawn.

For all the reasons advanced above, Applicants respectfully submit that the Application is in condition for allowance, and that such action is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees, which may be required for this Amendment, or credit any overpayment to Deposit Account No. 08-0219.

In the event that an Extension of Time is required, or which may be required in addition to that requested in a petition for an Extension of Time, the Commissioner is requested to grant a petition for that Extension of Time which is required to make this response timely and is hereby authorized to charge any fee for such an Extension of Time or credit any overpayment for an Extension of Time to Deposit Account No. 08-0219.

Respectfully submitted,

/Irah H. Donner/

Irah H. Donner
Registration No. 35,120

Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, NY 10022
TEL (212) 230-8887
FAX (212) 230-8888

Date: October 17, 2008

IHD/tes